

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARK SCOTT RICE,)	8:10CV114
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
SODEXHO MANAGEMENT, Inc.,)	
)	
Defendant.)	

This matter is before the court on Plaintiff's Motion to Dismiss, which the court liberally construes as a Motion for Voluntary Dismissal, filed pursuant to Federal Rule of Civil Procedure 41. (Filing No. 6.) In his Motion, Plaintiff states that he is "requesting a motion to dismiss due to the fact [he] can not obtain legal representation." (Id.) Defendant has not yet been served with summons, and the court finds that voluntary dismissal is warranted under the circumstances.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion to Withdraw and Dismiss Case, construed as a Motion for Voluntary Dismissal, (filing no. 6) is granted. Plaintiff's claims are dismissed without prejudice.

2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 20th day of April, 2010.

BY THE COURT:

Richard G. Kopf
United States District Judge